IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1364 of 2025
In
Civil Writ Jurisdiction Case No.17672 of 2023

CNR No. BRHC010345062025

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Dr. Brijendra Kumar Singh Son of Raj Ballave Singh, Resident at Rajeshwar Bihar Colony, Phase-I, Dariyapur Road, Parsa Bazar, Kurthaul, Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary (Now Additional Chief Secretary Education Department Govt. of Bihar, Patna namely Shri S. Sidharth.
2. Shri S. Sidharth, presently Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. Prof. Permendra Kumar Bajpai, the Vice-Chancellor, Jai Prakash University, Chapra, P.S.-Mufasil, District-Saran.
4. Sri Vibhash Kumar, Registrar, Jai Prakash University, Chapra, P.S.-Mufasil, District-Saran.
5. Shri Jamal Abdul Nasir, the Finance Officer, Jai Prakash University, Chapra, P.S.-Mufasil, District-Saran.
6. Prof. Permendra Kumar Bajpai, the Chairman of Selection Committee, Jai Prakash University, Chapra, P.S.-Mufasil, District-Saran.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Additional Advocate General 13
For the JPU : Mr. Chandan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 29-10-2026 Heard the parties.

2. The present application has been preferred for the following relief(s):

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"for initiation of contempt proceeding against the contemnors/opposite parties for their willful disobedience of the order dated 03.01.2025 passed in CWJC No. 17672 of 2023."

3. The show cause has come on behalf of the Vice-Chancellor, Jai Prakash University and it is important to incorporate Paragraph Nos. 5 to 7 which read as under:

5. *That the meeting of Selection Committee constituted for considering the promotion of petitioner of the Department of Mathematics of Jai Prakash University, Chapra from the rank of Reader to the rank of Professor was held on 18.06.2023.*

6. *That the representative of the State Government in Selection Committee submitted his note of dissent, stating that the applicant was retired from the active service on the date of the Selection Committee meeting and therefore, not entitled for promotion. The petitioner did not sign the proceedings of the meeting. The petitioner 3 suggested that the matter be sent to State Government for consideration. Consequently, the Hon'ble Vice Chancellor, the Chairmen of the Selection*

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Committee, also did not sign the proceedings of the meeting of Selection Committee. Therefore, the applicant was not granted promotion to rank of Professor. In this regard, the section 6.2 (V) of UGC regulations, 2018 reads as hereunder:

"The incumbent teacher must be on the role and active service of the University/College on the date of consideration by the Selection Committee for CAS promotion". However, the petitioner was eligible for promotion while petitioner was in service".

7. *That the Promotion of the petitioner, a Selection Committee has to be constituted. Beside other members, one nominee from the Hon'ble Chancellor and one nominee from the State Government are required for the constitution of Selection Committee.*

4. This Court is convinced that the positive step has been taken by the University under the leadership of the the Vice-Chancellor and expect that the sealed enveloped shall be opened and an appropriate order shall be passed at an earliest and in no case beyond 31st of January, 2027.

5. Granting liberty to the petitioner to agitate the

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matter afresh, if situation so warrant.

6. The present contempt petition stands disposed of.

(Rajiv Roy, J)

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